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April 11, 2012

VIA ECF/PACER

Honorable Lois Bloom
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: OOO "Garant-S" v. Empire United Lines Co., Inc. and Michael Khitrinov
U.S.D.C. – E.D.N.Y., 11 Civ. 1324 (FB) (LB)
Our File: 2697001U

Dear Judge Bloom:

We represent the defendants Empire United Lines Co., Inc. and Michael Khitrinov in the above-referenced action involving the theft of two automobiles. We write pursuant to Section 4.B of Your Honor's Individual Practices and Section 2.A of Judge Block's Individual Motion Practices to request a pre-motion conference with respect to defendants' intended motion for leave to file an Amended Answer with Counterclaims pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, and leave to file a Third-Party Complaint pursuant to Rule 14 of the Federal Rules of Civil Procedure against non-parties Garant-S, Inc., Dmitri Lanchinskiy, Alexey Ivkin, and Igor V. Yurkin.

Although the particulars of the intended motion are set forth in the affirmation in support and memorandum of law, copies of which are annexed hereto, for the sake of brevity the essence of the matter is that in the process of preparing responses to the plaintiff's discovery demands, defendants have uncovered information suggesting the potential involvement of plaintiff and/or non-parties Garant-S, Inc., Dmitri Lanchinskiy, Alexey Ivkin, and Igor V. Yurkin with the underlying theft of the vehicles and now seek to amend their answer and implead those non-parties to assert appropriate claims to protect defendants in the event of a finding of liability to plaintiff.

To the extent required, defendants hereby request that a pre-motion conference be scheduled.

We thank Your Honor for your attention to this matter.

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Respectfully yours,

Lyons & Flood, LLP



By: Jon Werner

Encls.

BY E-MAIL

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